

CHAPTER 10

Volunteer Program

10-1. Purpose. This chapter establishes the policy on accepting the services of volunteers. The Commander, HQUSACE may accept the services of volunteers and provide for their incidental expenses to carry out any activity of the U.S. Army Corps of Engineers except policy making or law/regulatory enforcement as authorized under PL 98-63. Volunteers may perform construction at USACE water resources development projects under the statutory authority of 16 U.S.C. § 460d. A volunteer is not an employee of the Corps of Engineers except for the purposes of Chapter 171 of Title 28 of the USC, relating to tort claims, and Chapter 81 of Title 5 of the USC, relating to compensation for work injuries.

10-2. Policy. It is the policy of the Corps of Engineers that:

a. Voluntary service is official government business, having some value to the Corps, conducted by volunteers under the direction of a paid Corps staff member.

b. Volunteers will not be used to displace any personnel of the Corps of Engineers. They may, however, perform duties which once were, or are presently, performed by Corps personnel or contractors.

c. USACE elements shall utilize volunteers wherever it is feasible, cost-effective, mutually-beneficial, secure and safe, and shall employ the procedures for the use of volunteers and all necessary forms, available on the Natural Resources Management Gateway. Commanders must ensure the safety and security of USACE personnel.

(1) MSC (Division) offices shall be responsible for the coordination of volunteer programs within their MSC. The MSC coordinators shall monitor and evaluate volunteer programs within their districts, provide assistance to district counterparts, and act as a liaison between the districts and HQUSACE.

(2) District offices shall be responsible for administering the volunteer program and assigning a district volunteer coordinator. The district coordinator shall be responsible for managing the district program according to policy to ensure that it meets the needs of the Corps and the volunteers. The district coordinator shall assist in assessing needs and identifying work that can be done by volunteers, advise volunteer supervisors in the proper use of volunteers, assist in recruiting efforts, develop and submit reports to MSC offices, handle inquiries regarding the program, and keep the district and project staff current on ideas and procedures for utilizing volunteers.

(3) Operations Project Managers and Natural Resource Managers are responsible for administering the volunteer program at the project level and for designating project volunteer coordinator(s), appointing additional team members as necessary to administer and supervise volunteers, accounting for program assets, accepting services of volunteers, and observing regulations while those services are performed.

(4) The project volunteer coordinator ensures that volunteer service agreements and, if applicable, parental consent is obtained, and that each volunteer or group of volunteers are assigned to Corps personnel who are responsible for the work performed. The volunteer coordinator, either directly or through a volunteer supervisor, shall ensure that the volunteer is properly oriented, trained, that his/her qualifications are adequate and documented for the work assigned.

d. Volunteers must be qualified to perform the work assigned. Additionally, they must be physically able to do the work. If a volunteer becomes unable to perform the agreed-upon tasks at any point during their service, the volunteer coordinator may terminate the agreement or find a more suitable position. The volunteer coordinators may request the volunteer to complete a Standard Form 256, Self-Identification of Handicap, or obtain a medical examination if there is a question regarding the volunteer's ability to perform assigned work. In special circumstances, the cost of medical examinations may be considered incidental expenses of the volunteer. These circumstances should reflect the need for medical examination and the value of the voluntary services that the Corps would receive and will require approval from the District Resource Management Office to ensure the expenditure is permissible.

e. Volunteer Coordinators may also accept volunteers, with the following conditions.

(1) Individuals from the private sector or state and local government agencies, whose employers are donating their services to the Corps while still keeping them on their payroll (hosted workers), can be volunteers. Hosted workers perform voluntary services for the Corps, while being compensated in some way by another organization or agency. Other federal agencies may not compensate their employees for volunteer activities with the Corps.

(2) Off-duty Corps personnel and their families can be volunteers; however, personnel shall not be accepted as volunteers at any Corps installation for duties which are a continuation or extension of their official duties.

(3) Children under the age of eighteen years may be volunteers provided they have the written consent of their parent or guardian. All child labor restrictions must be observed. If children are volunteering as part of a group volunteer agreement, the leader must provide a

complete list of group participants and separate agreements signed or parental consent on another organization's form signed by the parents/guardians for all participants under the age of eighteen.

(4) Volunteer service may be accepted from legal aliens (permanent residents) or foreign exchange students. Any non-U.S. citizen must present his/her Visa (or passport if in the U.S. in tourist status from a visa-waiver country where visas are not required) or U.S. Permanent Resident Card INS Form I-551 (formerly known as Alien Registration Receipt Card) for review and verification. Examples of acceptable documentation forms are provided in Appendix E.

(5) Commanders may enter into agreements with Federal Bureau of Prisons and State Correctional Systems concerning the use of civilian prison labor on Corps-managed water resource development projects. Individuals convicted of Federal and state crimes and participating in court-approved probation, work release, or alternate sentencing programs may serve as volunteers after receiving a background check at the discretion of the volunteer coordinator so long as they have not been convicted of or arrested and awaiting trial for a violent crime, crime against a person, or a crime with a weapon. Any use of civilian prison labor must also comply with any applicable provisions of AR 210-35.

f. Persons who have been convicted of violent crime, crime against person, or crime involving the use of a weapon shall not be utilized as volunteers.

g. Volunteer coordinators shall practice due diligence in screening volunteer candidates to assure the safety and security of Corps employees, contractors, and the public. Background/security checks will be required for any individual volunteering in one or more of the following scenarios:

- (1) Individuals who volunteer for more than 120 calendar days in a year.
- (2) Volunteer positions that require wearing the Corps volunteer clothing/name tag who work independently of Corps personnel.
- (3) Volunteer positions that require access to government files and records.
- (4) Volunteer positions that require the collection or handling of fees.

(5) Volunteer positions that require access to a Corps networked computer shall require a background check. In compliance with Homeland Security Presidential Directive 12 (HSPD-12), volunteers who require access to Federally-controlled, networked computer systems must be provided with a Volunteer Logical Access Credential (VOLAC) card after being registered in the Defense Enrollment Eligibility Reporting System (DEERS) through the Trusted Associate Sponsorship System (TASS), receiving a favorable National Agency Check with Inquiries (NACI), and upon favorable completion of the FBI National Criminal History Check

(fingerprinting). Only U.S. citizens are eligible for a VOLAC card and access to Federally-controlled computer systems. The volunteer coordinator will work with CPAC or the Security Office in requesting support from the Personnel Security Investigation – Center of Excellence (PSI-CoE) for the submission of the proper investigation to meet this requirement. Fingerprints may be obtained by the Security Office or by local law enforcement officials on the SF 87 and submitted to the Security Office. Volunteers who only use stand alone government computers that are not connected to a Department of Defense network do not require a VOLAC.

h. Background/security checks may be conducted, but will not be required for any of the following:

- (1) Individuals who volunteer for one-time events.
- (2) Individuals who volunteer for less than 120 days and who do not meet any of the scenarios as described in section 10-2 g. (1-5).
- (3) Volunteers who only work in proximity and direct supervision by a Corps employee.

i. Volunteers may be authorized to sell permits and collect fees from the public at campgrounds, day-use facilities, visitor centers, administration offices and other locations where fee collection is normally performed as a government function. The volunteer coordinator shall ensure that volunteers sign a statement on the volunteer agreement that states the person accepts the risk and liability of handling government funds. The volunteer coordinator shall also ensure that volunteers are properly trained and provided a security awareness briefing prior to assignment of fee collection responsibilities in accordance with ER/EP 1130-2-550 Chapter 9.

(1) Volunteers are agents of the Army and are protected under 31 U.S.C. § 3527(a). This statute states, in subsection (b), that “the Comptroller General may relieve a present or former accountable official or agent of the agency responsible for the physical loss or deficiency of public money, vouchers, checks, securities, or records, or may authorize reimbursement from an appropriation or fund available for the activity in which the loss or deficiency occurred for the amount of the loss or deficiency paid by the official or agent as restitution, when the head of the agency decides that the official or agent was carrying out official duties when the loss or deficiency occurred, or the loss or deficiency occurred because of an act or failure to act by a subordinate of the official or agent, and the loss or deficiency was not the result of fault or negligence by the official or agent.” Volunteers may be required to prove non-negligence for any loss in order to gain relief under the above statute.

(2) Volunteers must also have a surety bond from a federally-approved bonding institution for losses outside the purview of the above statute. With the volunteer’s permission,

the Corps may obtain the surety bond on the volunteer's behalf. Government funds may be used to cover the cost of surety bonds for volunteers. A surety bond is not a grant of relief for the volunteer nor does the Corps relinquish its rights against the bond or volunteer in a non-negligent loss case.

j. Volunteers may be authorized to operate, for official use, government-owned or leased vehicles, vessels, machinery or other specialized equipment by the volunteer coordinator if deemed appropriate and beneficial. Volunteers must have the proper training, license, and/or experience in accordance with USACE operator permit policies and understanding of the safety requirements to the satisfaction of the supervisor and the volunteer coordinator before operating a government-owned or leased vehicle, vessel, or equipment. Government authorization policies apply to volunteers. Volunteers are liable for damages to government property if the volunteer's negligence or willful misconduct is the proximate cause of the loss, damage or destruction of the government property. For volunteer positions requiring use of government vehicles, vessels, machinery or other specialized equipment, this should be stated on the volunteer agreement and acknowledged by the volunteer's signature.

k. Volunteers may produce products for the Corps at off-site locations.

l. Personal safety equipment shall be provided by the government, in accordance with EM 385-1-1, or purchased by the volunteer and considered reimbursable incidental expenses of the volunteer, if authorized in advance by the volunteer coordinator. Injuries to volunteers shall be reported in the same manner as those involving Corps personnel. Volunteers shall not be used in work assignments in which Corps personnel would receive hazardous duty pay.

m. Volunteers receive the same benefits and protection as Federal employees under the Federal Employees Compensation Act (5 U.S.C., Chapter 81) and the Tort Claims Act (28 U.S.C., §§ 2671-2680) and are considered to be Federal employees for only those purposes. Volunteers are offered this protection for personal liability as long as the volunteer is within the scope of his/her responsibilities. Volunteers are entitled to first aid and medical treatment for on-the-job injuries, as well as hospital care when necessary. When travel for receiving medical care is necessary, transportation may be furnished or travel expenses reimbursed.

n. Volunteers may be reimbursed for actual out-of-pocket expenses they incur in performing voluntary service when approved in advance and identified on the individual's Volunteer Agreement. Reimbursement is not required. Such expenses might include, but are not limited to, local transportation costs, meals during duties hours, and personal safety equipment.

(1) Reimbursement for transportation expenses to and from the volunteer's place of residence may be considered reasonable if, as a minimum, they are within a similar commuting distance as Federal employees from the work site.

(2) Long distance travel expenses may be reimbursed in cases where it can be shown that the services of the volunteer will be of exceptional value to the Corps, and then only with the approval of the District Commander or their delegated authorized official. Such long distance travel must be accomplished under the authorities of Invitational Travel Orders issued pursuant to the JTR/JFTR Appendix E and may be approved at the district level. The rate that volunteers may be reimbursed for long distance travel will not exceed the amount identified under the Joint Travel Regulation for Government employees under similar circumstances.

(3) Food and beverages may be provided to volunteers only when such subsistence is incidental to the actual rendering of volunteer services. Meals and beverages provided for a recognition event are not incidental to the rendering of volunteer services, and are therefore impermissible. Any food or beverages purchased under this policy must be reviewed and approved by the District Resource Management Office (RM) and documented appropriately (i.e. email, Memorandum for Record (MFR), or by telephone). RM will respond as soon as possible.

o. Volunteers may be provided campsites at civil works projects where their voluntary service occurs and not be required to pay a user fee. Corps policy on the use of government housing is provided in Chapter 13 of this regulation. If volunteers are housed in government provided quarters, they shall not normally be charged for such occupancy. Such accommodations should be noted on the volunteer agreement.

p. Clothing items may be provided only if essential to a volunteer's specified duties, such as in cases where clothing items are needed for safety reasons or when volunteers must be easily identifiable to Corps employees or the public. Clothing items may not be provided if intended solely to increase morale or aid in volunteer recruitment and retention. Proper volunteer identification substantially contributes to the volunteer's ability to safely and effectively perform official duties in support of the Corps Civil Works program.

(1) Official Corps volunteer clothing items may be purchased from the Corps uniform contract provider. Items such as vests, polo shirts, sweatshirt jackets, ball caps, nameplates, and volunteer patches are available from the Corps vendor, and may be changed periodically if beneficial for promoting a positive image for the Corps. These items are recommended for volunteers who provide an on-going service in public positions including, but not limited to, park hosts, visitor center staff, program presenters, and more.

(2) Several different items and multiple quantities of the same item may be provided and worn by the same individual to allow for a variation of duties, weather, clear identification, and to allow the individual to maintain a neat and clean appearance each day.

(3) For volunteers performing maintenance duties, volunteer T-shirts may be ordered from a local vendor with the Corps logo and the word "Volunteer."

(4) Volunteers are not authorized to wear the Corps Natural Resources Management (NRM) uniform patch or any other item of the official NRM Class A-B-C Park Manager/Ranger uniform.

q. Projects are encouraged to show appreciation for volunteer services received. Volunteers may be issued a certificate of appreciation to acknowledge their service. Other items such as celebration meals, appreciation gifts, or cash awards are not authorized for purchase with appropriated funds for volunteers, but may be donated by Friends groups, cooperating associations, or other partners to recognize outstanding volunteer efforts. Volunteers may be eligible for Department of Defense Public Service Awards. Volunteer coordinators/supervisors may also nominate their volunteers for special awards of appreciation by sources outside the Corps. Special Act Awards are not authorized for volunteers.

r. Accurate records regarding the number of volunteers, the number of volunteer hours donated, and reimbursed incidental expenses, shall be maintained by the project and reported annually in the Operations and Maintenance Business Information Link (OMBIL). Districts or MSC offices may require more frequent reports. The value of volunteer service will be calculated by OMBIL based on the volunteer hours.

